

AMENDED IN SENATE JANUARY 4, 2006

AMENDED IN SENATE APRIL 19, 2005

SENATE BILL

No. 604

Introduced by Senator Aanestad

February 18, 2005

An act to amend Section 47652 of the Education Code, relating to school funding.

LEGISLATIVE COUNSEL'S DIGEST

SB 604, as amended, Aanestad. ~~Charterschools~~ *Charter schools*: funding.

Existing law provides that a charter school in its first year of operation is eligible to receive funding for a specified advance apportionment based on an estimate of average daily attendance for the current fiscal year, as specified.

~~This bill, in addition, would also make charter schools that project an increase in pupil enrollment of at least 10% for the ensuing fiscal year eligible for that funding.~~

This bill would permit advance apportionment for a charter school in its 2nd or later year of operation that is adding one or more grade levels. The bill would base the apportionment on the part of the average daily attendance at the 2nd principal apportionment for the prior year that was attributable to pupils in the highest grade served by the charter school.

The bill would make additional, nonsubstantive changes in existing law.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 47652 of the Education Code is amended to read:

47652. (a) Notwithstanding Section 41330, a charter school in its first year of operation, ~~or a charter school that projects an increase in pupil enrollment of at least 10 percent for the ensuing fiscal year,~~ is *shall be* eligible to receive funding for the advance apportionment based on an estimate of average daily attendance for the ~~respective current fiscal year or ensuing fiscal year,~~ as approved by the local educational agency that granted its charter and the county office of education in which the charter-granting agency is located. For charter schools approved by the ~~State Board of Education~~ *state board*, estimated average daily attendance shall be ~~approved by,~~ and submitted directly to, and approved by, the ~~State Department of Education~~ *department*. Not later than five business days following the end of the first 20 schooldays, a charter school receiving funding pursuant to this section shall report to the ~~Department of Education~~ *department* its actual average daily attendance for that first month, and the Superintendent of ~~Public Instruction~~ shall adjust immediately, but not later than 45 days, the amount of its advance apportionment accordingly.

(b) *In addition to funding received pursuant to Section 41330, a charter school in its second or later year of operation also shall be eligible to receive an advance apportionment pursuant to the process and conditions described in subdivision (a) in any year in which the charter school is adding at least one grade level. The average daily attendance funded for a new grade level shall not exceed the portion of the certified average daily attendance at the second principal apportionment for the prior year that was attributable to pupils in the highest grade served by the charter school.*

~~(b)~~

(c) A charter school in its first year of operation may only commence instruction within the first three months of the fiscal year beginning July 1 of that year. A charter school shall not be eligible for an apportionment pursuant to subdivision (a), or any

- 1 other apportionment for a fiscal year in which instruction
- 2 commenced after September 30 of that fiscal year.

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